



CATEX CHECKLIST

CHECKLIST OF EXTRAORDINARY CIRCUMSTANCES & SENSITIVE RESOURCES IN SUPPORT OF A CATEGORICAL EXCLUSION (CATEX) DETERMINATION FOR A DENALI COMMISSION PROJECT


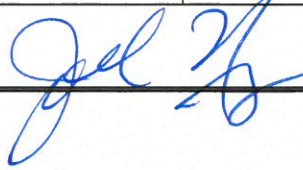
Program Partner Name Alaska Village Electric Cooperative		Project Name New Stuyahok – Ekwok Intertie Completion	
Location New Stuyahok, Alaska		Project # 1478	Subproject #
Identify Categorical Exclusion The proposed project is identified in the Denali Commission list of categorical exclusions in 45 CFR Appendix A to Part 900, paragraph(s) B5. - <i>Powerlines 10 miles or less. JH</i>			
Project Description (2-3 sentences maximum) This project provides for the construction of an eight-mile long electric intertie between New Stuyahok and Ekwok. The intertie will run across primarily open tundra and most of the alignment parallels the Nushagak River.			
Instructions The information you provide below will assist the Denali Commission in making its determination as to whether a Categorical Exclusion (CATEX) is appropriate or further environmental analysis is required for the proposed project. Please place a checkmark in the blank next to the numbered items indicating your response on that issue. A checkmark in the "Yes" block does not automatically preclude the development of the proposed project. It simply means further assessment is needed. Should you have any remarks that may indicate the need to prepare an Environmental Analysis (EA) or an Environmental Impact Statement (EIS), attach a brief explanation of the circumstances for further evaluation. Adverse affects to environmentally sensitive resources must be resolved through another environmental process, e.g., coordination or consultation under the Coastal Zone Management Act or National Historic Preservation Act, before being categorically excluded. Attachments are allowed and encouraged.			

Extraordinary Circumstances	Determination		Basis for determination
	Yes	No	
1. Public Health, Safety or Environment Will the proposed project have a reasonably likelihood of significant impacts on public health, public safety, or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is typical in scope to other Alaska Intertie projects. There will be no impacts to public health, public safety, or the environment.
2. Controversy on Environmental Grounds Will the proposed project have effects on the environment that are likely to be highly controversial or involve unresolved conflicts concerning alternative uses of available resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project complies with all applicable laws and requirements and will have the appropriate regulatory approvals. No environmental impacts will occur. The project is not controversial.

3. Uncertain, Unique or Unknown Risks Will the proposed project have possible effects on the human environment that are highly uncertain, involve unique or unknown risks, or are scientifically controversial?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project doesn't use methods or materials where there are uncertain, unique, or unknown risks.
4. Precedent for Future Action Will the proposed action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is typical in scope to other Alaska intertie projects. The project does not establish a precedent or represent a decision in principle about future environmental effects.
5. Cumulative Impacts Will the proposed project relate to other actions with individually insignificant but cumulatively significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction of the intertie will not cause cumulative impacts or result in degradation of environmental concerns as outlined in NEPA.
6. Scope and Size Will the proposed project have a greater size and scope than is normal for the category of action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project doesn't have greater size or scope than other Alaska rural intertie projects.
7. Environmental Conditions Will the proposed project have the potential to degrade already existing poor environmental conditions or to initiate a degrading influence, activity or effect in areas not already significantly modified from their natural condition?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The intertie will enable the utility to reduce the required fuel storage in Ekwok. Construction activities will be conducted in winter to minimize environmental impacts. The project will not lead to environmental degradation.
8. Environmental Justice Will the proposed project have a disproportionately high and adverse effect on low income or minority populations? Ref: Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed project will not adversely affect low income or minority populations.
9. Indian Sacred Sites Will the proposed project limit access to or ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites? (EO 13007) <i>"Indian tribe" means an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to Public Law No. 103-454, 108 Stat. 4791, and "Indian" refers to a member of such an Indian tribe. (EO 13007)</i> Ref: Executive Order 13007, Indian Sacred Sites	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tribal consultation concerning the effects of the project on sacred sites were conducted in conjunction with the NHPA reviews and SHPO consultations referenced in No. 10.

Sensitive Resources	Impact Potential		Basis for determination
	Yes	No	
10. Section 106 Historic Properties Will the proposed project adversely affect properties in, or eligible for inclusion in, the National Register of Historic Places? Ref: National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.), as amended. (See 36 CFR 800, Protection of Historic Properties).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A SHPO concurrence with an agency finding of "no historic properties affected" for the project scope of work was received on January 15, 2014.
11. Endangered Species Will the proposed project adversely affect species listed, or proposed to be listed on the Endangered or Threatened Species List, or the specific critical habitat? Ref: Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended. (See 50 CFR part 402).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no Endangered Species Act (ESA) – listed species or designated critical habitat in the project area. Based on consultation with the USFWS, this project will have no effect on ESA – listed species.
12. Historic or Cultural Resources Will the proposed action adversely impact the historic and cultural environment of the Nation? Ref: Executive Order 11593, Protection and enhancement of the cultural environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	See remarks under No. 10.
13. Park, Recreation or Refuge Lands Will the proposed project have significant adverse direct or indirect effects on National or State Park, Recreation or Refuge lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project area is not located within a National or State Park, Recreation or Refuge lands.
14. Wilderness Areas Will the proposed project adversely impact a wilderness area? Ref: Wilderness Act of 1964 (16 U.S.C. 1131 et seq.), as amended.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project area is not located in a wilderness area. There will be no impacts.
15. Wild and Scenic Rivers Is the proposed project a "Water Resources Project" that will impact a wild, scenic or recreational river area and create conditions inconsistent with the character of the river? Ref: Wild & Scenic Rivers Act (16 U.S.C. 1271 et seq.), as amended.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is not a water resources project. There will be no impacts to wild, scenic or recreational rivers.
16. National Natural Landmarks Will the proposed project impact a National Natural Landmark? Ref: Historic Sites Act of 1935 (16 U.S.C. 461 et seq.), as amended.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is not located in or near a National Landmark. There will be no impacts.
17. Sole Source Aquifers If the proposed action would not have adverse effects on this resource, it may be considered that there is no Impact Potential. Ref: Safe Drinking Water Act of 1974, (42 U.S.C. 201, 300 et seq., and 21 U.S.C. 349), as amended. (See 40 CFR part 149).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	According to the EPA website, as of 08/05/04, there are no sole source aquifers in Alaska.

18. Prime Farmlands Will the proposed project convert significant agricultural lands to non-agricultural uses? Ref: Farmlands Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.), as amended. (See 7 CFR part 658).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed project will not convert any agricultural lands to non-agricultural uses.
19. Wetlands Will the proposed project adversely affect wetlands or will there be construction in wetlands, except in conformance with a U.S. Corps of Engineers Section 404 Permit? Ref: Executive Order 11990, Protection of Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction will be performed in conformance with a U.S.A.C.E Section 404 permit.
20. Floodplains Will the proposed project involve construction in a floodplain or impact floodplain development? Ref: Executive Order 11988, Floodplain Management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project will not involve construction in a floodplain.
21. National Monuments Will proposed project impact a National Monument?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is not located near a National Monument. No impacts will occur.
22. Ecologically Significant or Critical Areas Will the proposed project impact an ecologically significant or critical area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The project is not near any known ecologically sensitive or critical areas.
23. Other Known Reasons Is an environmental assessment required for other known reasons?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No.
Additional Comments USDA-Rural Utility Services was the primary funder of this project's construction phase. AVEC completed an environmental review and documentation in accordance with USDA-RUS' requirements in January 2014.			

PREPARED BY		
Date March 20, 2018	Typed or Printed Name and Title Thomas S. Wolf, Program Manager	Signature 
Organization: Denali Commission		
DENALI COMMISSION APPROVING OFFICIAL		
Based upon the categorical exclusion identified above, this completed checklist and attachments, I certify to the best of my knowledge, that the information provided above is complete and correct, and that:		
A categorical exclusion determination is appropriate for this project	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
Further environmental analysis is required	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
Date 4/2/18	Signature Joel Neimeyer, Federal Co-Chair	Signature 

Additional Notes and Instructions

1. The basis for determination and documentation information must be traceable and establish the factual data to support the response to each question. Types of information to be included in this column are outlined below.

Printed Materials: These are useful sources of detailed information materials such as comprehensive land use plans, zoning maps, city master plans, environmental baseline surveys, environmental assessments, environmental impact statements and studies. Information must be current and must represent accepted methodologies, i.e., not so old that changing conditions make them irrelevant. Citations for the material should include enough information so that an outside reviewer can locate the specific reference, e.g., author, document title, publication date, and page number.

Examples include the Record of Decision, Finding of Suitability to Transfer, Finding of Suitability to Lease, General Services Administration (GSA) Property Suitability Determination Form, Federal Property Information Checklist, Environmental Baseline Surveys, Preliminary Assessment Reports, Environmental Assessments, draft or final Environmental Impact Statements, and City/County master plan or zoning map.

Possible sources of the above documents include as appropriate, GSA, Department of Housing and Urban Development, the property owner, military base environmental office, local governmental organizations, local public library, and City/County planning office.

Personal Contacts: Personal contacts are useful when the individual contacted is an accepted authority on the subject(s), and the interview is documented. Supporting documentation should include the name, organization, and title of the person contacted and the date of the conversation. Examples include EPA officials, EPA hotlines, officials from state or local planning offices and environmental offices, or an environmental officer of an agency.

Site Visits: A site visit does not usually involve any testing or measurements. A site visit is an important method for initial screening of the issues, but for some of the categories it may be inadequate for final evaluation. Supporting documentation should include date of the site visit, by whom, and the supporting observation.

2. The agency must include pollution prevention considerations in the siting, design, construction, renovation, and operation of the project or facility. The questionnaire items on sedimentation and erosion control measures and storm water control plan are also pollution prevention related.

January 16, 2014

Deirdre M. Remley
Environmental Protection Specialist
USDA Rural Development, Rural Utilities Service
1400 Independence Ave, SW
Mail Stop 1571 | Room 2238
Washington, DC 20250

← PRIMARY FUNDOR OF
CONSTRUCTION PHASE

Regarding: AVEC - New Stuyahok to Ekwok Electrical Intertie
Environmental Requirements

Dear Ms. Remley;

The Alaska Village Electric Cooperative, Inc. (AVEC) is proposing to construct an electric intertie between New Stuyahok and Ekwok, Alaska. Solstice Alaska Consulting, Inc. (Solstice) was hired by AVEC to assist with the environmental compliance aspects of the project. We understand that USDA Rural Utilities Service (RUS) has committed to funding the intertie project; however, Endangered Species Act and National Historic Preservation Act consultations and Clean Water Act compliance is required prior to RUS releasing funding. In a September 23, 2013 email to Steve Gilbert, AVEC's Projects Development and Key Accounts Manager, you detailed RUS's environmental needs. This letter details how the environmental needs have been met.

Endangered Species Act Consultation

Based on the following information, AVEC requests that the RUS make a determination that the New Stuyahok-Ekwok Intertie will have "No Effect" on Endangered Species Act (ESA)-listed species. This request based on the following information.

On December 4, 2013, Solstice called U.S. Fish and Wildlife Service's (USFWS) Alaska Endangered Species Branch Chief Ellen Lance to consult on the proposed New Stuyahok to Ekwok Intertie. Solstice briefly described the project stating that the AVEC is proposing to construct an eight-mile long electrical intertie between the two communities. The intertie will run across primarily open tundra and most of the alignment will parallel the Nushagak River. Solstice explained that a review of the USFWS *ESA Consultation Guide Map* for the project area shows that no federal threatened or endangered species are listed in the project area.¹ Solstice stated that that the project will have no effect on ESA-listed species because no listed species are found in the area. Ms. Lance concurred that the project will have no effect on threatened or endangered species or their critical habitat and that further consultation was not needed. (For more details see the attached ESA consultation materials.)

¹ http://www.fws.gov/alaska/fisheries/fieldoffice/anchorage/endangered/pdf/Consult_Grid_Block_15.pdf



The New Stuyahok-Ekwok Intertie does not impact any anadromous fish streams or essential fish habitat. All waterways will be completely spanned by the project; therefore no ESA-listed species under the jurisdiction of the National Oceanic and Atmospheric Administration (NOAA) Fisheries will be impacted.

Migratory Bird Treaty Act Consultation

During the above mentioned telephone conversation between Solstice and USFWS, Ms. Lance suggested contacting USFWS Alaska Conservation Planning Assistance Branch Biologist Maureen de Zeeuw regarding migratory birds in the project area. On December 4, 2013, Solstice contacted Ms. de Zeeuw by phone. Ms. de Zeeuw said that migratory birds can occur in the project area. Ms. de Zeeuw recommended that AVEC follow the *U.S. Fish & Wildlife Service Land Clearing Timing Guidance for Alaska* to protect nesting migratory birds.² According to this guidance vegetative clearing should not take place between April 10 and July 15 to protect nesting birds. Ms. de Zeeuw explained that if snow melt is late, construction could occur later into the spring, past April 10, as long as the ground is still snow covered. Ms. de Zeeuw gave other suggestions of ways project can minimize impacts to birds including prevention of bird electrocution. Solstice explained that the intertie poles will be framed to prevent bird electrocution. In addition, bird diversion devices will be installed on the intertie as stipulated in the Section 404 Permit (detailed below). (Please see the attached Migratory Bird Treaty Act materials attached.)

National Historic Preservation Act Consultation

On December 30, 2013, a letter was sent to the Alaska's State Historic Preservation Officer recommending a finding of no effect on cultural or historical resources. A SHPO representative replied with questions via email on January 2, and on January 9, representatives from AVEC and Solstice met with SHPO representatives to discuss the questions and to provide additional project information. Further project details were provided to the SHPO representative via email on January 13. The SHPO concurred with the No Historic Property Effect finding in a letter to AVEC received on January 15, 2014. (National Historic Preservation Act [NHPA] materials are attached to this letter.)

On December 30, 2013 letters were sent to the recognized tribes in the project area. No response to these letters has been received. On numerous occasions prior to these letters, AVEC notified the Ekwok Village Council and the New Stuyahok Village Council about the Project. The Ekwok Village Council issued a resolution of support in favor of the project, and the Ekwok Natives Limited issued an easement across the corporation's land. Stuyahok Limited (the village corporation) also issued an easement across their land for the Project. (Tribal consultation letters are attached with NHPA materials.)

Clean Water Act Section 404 Compliance

On December 20, 2013, Solstice sent an email to the U.S. Army Corp of Engineers (USACE) requesting verification that the project falls under Nationwide Permit (NWP) #12 for Utility Projects and that a preconstruction notice (PCN) is not required. On January 15, 2014, the USACE sent a letter assigning a file number (POA-2013-693) and preliminarily determining that the project area contained waters of the United States, including wetlands. The letter also verified that the project is covered under NWP #12,

² http://www.fws.gov/alaska/fisheries/fieldoffice/anchorage/pdf/vegetation_clearing.pdf



and a PCN was not required. The finding is valid until March 18, 2017 (unless the NWP changes). The letter specified that AVEC must:

- Submit a USACE form certifying that the work is done immediately following construction
- Comply with NWP Regional Condition E, regarding disturbed area stabilization immediately following construction
- Comply with NWP Regional Condition F, regarding the prevention of soil disturbance by heavy equipment
- Adopt bird diverters, install jumper covers, and mark electrical pole guy lines with reflective tape or other material

These stipulations will be added to the intertie design and construction contractor's specifications.

We believe that the information provided here and attached meets RUS's environmental needs in order to release funding for this important project. If you need additional information or have questions, please feel free to contact me at 909.929.5960 or robin@solsticeak.com or Steve Gilbert at 907.565.5357 or sgilbert@avec.org. Thank you.

Sincerely,
Solstice Alaska Consulting, Inc.



Robin Reich
President

Attachments: as stated

Copies: Steve Gilbert, AVEC; Forest Button, AVEC

